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ALIEN REGISTRATION

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REGULATIONS

GOVERNING CERTIFICATES OF IDENTIFICATION

FOR

ALIENS

OF ENEMY NATIONALITIES

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REGULATIONS GOVERNING APPLICATIONS FOR AND ISSUANCE OF CERTIFICATES OF IDENTIFICATION TO ALIENS OF ENEMY NATIONALITIES

Pursuant to and by virtue of the authority granted by the Proclamation of the President of the United States dated January 14, 1942, requiring aliens of enemy nationalities to apply for Certificates of Identification, in compliance with rules and regulations of the Attorney General, the following regulations are hereby prescribed:

SECTION 1. **Persons required to apply.**—Except as hereinafter expressly excluded by section 2, persons in the United States (including Puerto Rico and the Virgin Islands) required to apply for Certificates of Identification, and otherwise to comply with these regulations, are as follows:

(*a*) All aliens who are of the age of 14 years or upward and who are German, Italian, or Japanese citizens or subjects.

(*b*) All aliens of the age of 14 years or upward who at present are stateless but who, at the time at which they became stateless, were German, Italian, or Japanese citizens or subjects.

(*c*) All aliens, of the classes described in (*a*) and (*b*) above, who have not reached the age of 14 years at the time that applications for Certificates of Identification are required, shall from that time forward and so long as the said Presidential Proclamation dated January 14, 1942, shall remain in effect, immediately upon reaching the age of 14 years, present themselves at the nearest appropriate post office or such other place as may be hereafter designated, and make application for such Certificate of Identification.

SEC. 2. **Persons not required to apply.**—Classes of aliens not required to apply for Certificates of Identification, or otherwise to comply with these regulations, include the following:

(*a*) German, Italian, or Japanese citizens or subjects who, before December 7, 1941, in the case of former Japanese subjects and before December 8, 1941, in the case of former German or Italian citizens, became citizens of any nation other than Germany, Italy, or Japan, provided that such persons have not, by special license or otherwise, retained their status as German, Italian, or Japanese citizens or subjects.

(*b*) Austrians or Austrian-Hungarians (Austro-Hungarians), who registered as such under the Alien Registration Act of 1940, provided that such persons have not at any time voluntarily become German, Italian, or Japanese citizens or subjects.

(*c*) Koreans who, under the Alien Registration Act of 1940, registered as Koreans, provided that such persons have not at any time voluntarily become German, Italian, or Japanese citizens or subjects.

(*d*) These regulations shall not be construed as defining or limiting the classes of "alien enemies" who are subject to apprehension, detention or internment, or to any of the other provisions of the Presidential Proclamations of December 7 and 8, 1941, and regulations heretofore or hereafter issued pursuant thereto.

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SEC. 3. **Places to apply.** (*a*) Persons required to apply for Certificates of Identification shall present themselves at the first-class, second-class, or county-seat post office nearest to their places of residence, or at any other post office or other place which may hereafter be designated in accordance with instructions issued by the Post Office Department or otherwise.

(*b*) Persons required to apply for Certificates of Identification who are unavoidably absent from their places of residence during the dates hereinafter designated for such places may, in order to relieve themselves from the penalties prescribed for failure to make such applications, present themselves at the place and time described for applications in the district in which they temporarily are, and shall then and there file applications in the regular way, which applications, duly executed in duplicate, shall be immediately forwarded to the first-class, second-class, or county-seat post office nearest the habitual places of residence of such applicants and such post office shall deliver the Certificate of Identification to applicant as hereinafter provided.

SEC. 4. **Time to apply.**—Persons required to apply for Certificates of Identification shall apply at the time hereinafter set forth, as follows:

(*a*) Persons present within the States of Arizona, California, Idaho, Montana, Nevada, Oregon, Utah, and Washington are required to apply between the dates of February 2 and February 9, 1942, both inclusive.

(*b*) Persons present within the continental United States elsewhere than in the above-enumerated States are required to apply between the dates of February 9 and February 28, 1942, both inclusive.

(*c*) Special provisions will be made as to the times and places to apply for Certificates of Identification in Puerto Rico and the Virgin Islands.

SEC. 5. **Modifications of time to apply.**—Provided that a person, who is subject to these regulations and who falls into one of the following-described categories, has registered in compliance with the provisions of the Alien Registration Act of 1940, as evidenced by his possession of an Alien Registration Receipt Card, he shall be entitled to the following modification of the requirements of these regulations:

(*a*) Persons who are inmates of asylums, jails, prisons, or penitentiaries, Federal or State, shall not be obliged to make application for a Certificate of Identification so long as they remain inmates of such institutions. Immediately upon their discharge from such institutions, however, such persons shall be under obligation to apply for such Certificates. Their applications shall be made either at (1) such institutions, if facilities therefor exist, or at (2) the first-class, second-class, or county-seat post office, or (3) such other place, nearest their residence, as may then be designated for the receiving of such applications.

(*b*) Persons who are so aged or infirm as to be confined permanently to their places of residence or to institutions shall not be obliged to make application for a Certificate of Identification so long as they shall be physically incapable of making such application at a post office.

(*c*) Persons who, during the period fixed for the filing of applications for Certificates of Identification, are temporarily bedridden, in hospitals or at their residences, must within 5 days of their recovery, make application for a Certificate of Identification at the place, nearest their place of residence, at which such applications are then being received. In order, however, to qualify for such temporary modification of the time requirements for making application, such persons must give, or must cause to be given in their behalf, a written notice setting forth their name, address, Alien Registration Receipt Card Number, age, nationality, the nature of their physical incapacity and its probable duration. Such notice must be accompanied by a Doctor's certificate and must be mailed or delivered, within the period fixed for the filing of applications for Certificates of Identification, to the postmaster of the nearest first- or second-class or county-seat post office.

In the event that any person, subject to these regulations and falling within one of the above-enumerated categories, has not registered in compliance with the requirements of the Alien Registration Act of 1940, he shall give notice, or shall cause notice to be given in his behalf, to the postmaster of the nearest first-class, second-class, or county-seat post office; such notice shall contain his name, address, the fact of nonregistration, and shall be given during the period fixed for the filing of applications for Certificates of Identification.

SEC. 6. **Method of making application for Certificate of Identification.**—(*a*) Any postmaster in a first- or second-class post office in the United States, or in the post office at the seat of government of any county, parish, or equivalent subdivision in the United States, or in any other post office or other place which may hereafter be designated, or any postal employee designated by such postmaster, shall be an identification official, authorized to receive applications for Certificates of Identification in accordance with these regulations.

(*b*) Any postmaster who shall designate any person as an identification official shall certify that fact to the Department of Justice.

(*c*) Application shall be made by each person required to apply hereunder upon Form AR–AE–22, and the application shall in all respects conform to said form.

(*d*) A notice to all persons subject to these regulations, including abbreviated instructions and suggestions (Form AR–AE–21) shall be printed and placed in post offices and in such other places as may be deemed appropriate for general distribution; and, together with copies of these regulations, shall be posted at prominent places in post offices at which applications for Certificates of Identification will be filed.

(*e*) The identification official shall deliver to the applicant two copies of the form of application for Certificate of Identification (AR–AE–22).

(*f*) The applicant shall fill in the application forms (AR–AE–22) in duplicate, either personally or through a representative. If the applicant is unable to write or is unable to write clearly and legibly, the identification official shall, upon request of such applicant, fill

in the application forms, in duplicate, with information furnished him by the applicant.

(*g*) The identification official shall request the applicant to produce his alien registration receipt card and, upon its production, shall verify the number appearing thereon with the registration number inserted on the application for Certificate of Identification, (Form AR–AE–22).

(*h*) After the application for Certificate of Identification (Form AR–AE–22) has been completed in duplicate, the identification official shall fill in the description of the applicant as the information is called for at the bottom of the Form AR–AE–22.

(*i*) The applicant shall furnish to the identification official three unmounted photographs of the applicant, with light background, 2 by 2 inches in size, on thin paper. Such photographs, in order to be acceptable, must clearly show a front view of the face of the applicant without hat, and applicant must state, and such must appear to be the fact, that such photographs were taken not more than 30 days prior to the date on which the application is presented.

(*j*) The application forms (AR–AE–22) must be personally signed in duplicate and sworn to (or affirmed) by the applicant before an identification official.

(*k*) If the applicant is unable to write, he must make his mark in the signature space in the application forms, and his mark shall be witnessed by a witness other than the identification official. The witness shall sign his name and address on the application forms near the mark, and the words "witnessed by" shall precede the signature of the witness.

(*l*) If the applicant has conscientious scruples against taking an oath, he may make affirmation to the truth and completeness of his statements and answers in the application.

(*m*) All identification officials are hereby authorized to administer to applicants the oath or affirmation required herein. The oath is to be taken by the applicant's raising his right hand and swearing to the truth and completeness of the statements and answers made by him in the application. Affirmation may be made by the applicant's raising his right hand and declaring that he solemnly affirms the truth and completeness of the statements and answers made by him in the application.

(*n*) The following information shall be furnished by each applicant.

1. The applicant shall give in full his present legal name in the English alphabet.

2. The applicant shall give the name (not including aliases) under which he registered in accordance with the provisions of the Alien Registration Act of 1940, providing that such name is different from the present legal name of applicant. If the name under which applicant registered in accordance with the provisions of the Alien Registration Act of 1940 is different from applicant's present legal name, applicant shall explain briefly the reason for the difference.

3. The applicant shall give the location of his residence; that is, the place where the applicant habitually sleeps. If he has no such place, he shall so state. He shall give the address where his mail is regularly received or delivered. He shall also state the location of

other residences since January 1, 1941, in each case stating the approximate period spent at each such residence.

4. The applicant shall state the names and addresses of all persons, firms, or corporations by which he has been employed since January 1, 1941, together with a statement of the capacity in which he was so employed and the approximate dates covered by each such employment. If the applicant, during said period, was himself engaged in some trade, business, or profession, he shall so indicate, stating his business address and the period covered.

5. The applicant shall state the month, day, and year of his birth according to the American (that is, Gregorian) calendar. The applicant shall also name the country, if any, of which he is a citizen or subject, or to which he owes allegiance. If the applicant is not a citizen of any country he shall so state; he shall, in such case, state the country of which he was last a citizen or subject, or to which he last owed allegiance.

6. The applicant shall give the names, state the relationships, and give the addresses of parents, brothers or sisters, husband or wife, or children of the applicant living in the United States on the date of making the application.

7. The applicant shall state whether or not he has any children serving, at the time of the application, in the armed forces of the United States, including the auxiliary arms of service. If the applicant has such children he shall state their names and indicate in each case the branch of service in which such child is serving.

8. The applicant shall give the names, state the relationship and give the last known address or country of residence of parents, brothers or sisters, husband or wife, or children of the applicant living outside the United States. If any of said relatives are, or when last known to applicant were, serving in the armed forces of a foreign nation, the applicant shall state this fact.

9. The applicant shall state whether or not he has, since August 27, 1940, either applied for or received first citizenship papers in the United States or petitioned for naturalization in the United States. In the event that the applicant has so applied, received, or petitioned, he shall state which and give the place and date. The applicant shall state also whether or not he has ever been refused or denied naturalization in the United States. If he has been refused or denied naturalization he shall state the court, place, and reasons or causes given, and whether said reasons or causes have since been removed.

10. If the applicant has at any time taken any steps toward naturalization in a country other than the United States, he shall so indicate and shall state when and where and in what country.

11. If the applicant has at any time taken an oath of allegiance to any country, state, or nation other than the United States he shall so indicate and shall state the time, place, and country.

12. The applicant shall state whether he has read or had read to him a summary of the provisions of Presidential proclamations and regulations concerning the conduct of persons of enemy nationalities, and he shall further state whether or not he has complied with such proclamations and regulations, and further whether any exemption of any kind has been granted to him.

13. The applicant shall indicate whether he was registered for Selective Service and if he was, the applicant shall state the place and his local draft board order number.

14. The applicant shall list the clubs, organizations, or societies of which he has been a member or officer, or with which he has been affiliated, at any time during the period of 5 years preceding the date of such application either in the United States or abroad. In the event that any such listed membership or affiliation has ceased prior to the date of the application, the applicant shall give the approximate date thereof. If the applicant spent any part of said 5-year period outside the United States, he shall include a statement of his foreign political party or national organization affiliation during such portion of said 5-year period as he spent outside the United States.

15. The applicant shall be given the opportunity, and space shall be provided on the form (AR–AE–22) for the purpose, to make any additional statement concerning himself, or his status, he may wish to make. But there shall be no obligation upon the applicant to insert any additional information in such space. In the event that the applicant uses such space to give the names and addresses of persons who might vouch for the applicant's loyalty to the United States, the applicant shall write either personally or through his representative, or the identification official shall write for him, a statement substantially as follows:

"I have neither given anything of value nor obligated myself in any manner whatsoever for permission to use the above names," and applicant shall be obliged to swear to or affirm the truth of such statement.

(*o*) Whenever an applicant states that he is unable to supply any of the information required by Form AR–AE–22, the identification official shall ask the applicant if he has exhausted all possible sources of information. If the applicant answers that he has done so, the applicant or the identification official shall write "Don't know" in the space reserved for such information in said form.

(*p*) After the applicant shall have duly executed and sworn to (or affirmed) his application in duplicate, the identification official shall transfer from such form to the Certificate of Identification (Form AR–AE–23) such information as is called for in said Form AR–AE–23. The identification official shall then affix one of said photographs to each of the executed applications (AR–AE–22) and one of such photographs to the Certificate of Identification (Form AR–AE–23). The applicant, if able to write, shall sign each of said three photographs of himself in such directed manner as not to obscure the features and applicant shall affix his signature also at the place indicated in the Certificate of Identification, (Form AR–AE–23). The applicant shall place a single specified fingerprint on each of the forms of application for a Certificate of Identification (AR–AE–22) and in the Certificate of Identification (AR–AE–23). The identification official in each case shall take the applicant's fingerprint or cause the same to be taken under his supervision.

SEC. 7. **Certificates of Identification.**—(a) At the earliest practicable date after the filing of the application there shall be delivered to the applicant, in accordance with instructions issued by the Post Office Department, a Certificate of Identification (Form AR–AE–23). The issuance of such certificate shall not relieve the applicant or holder from full compliance with any and all laws and regulations of the United States now existing or which hereafter may exist, concerning aliens of enemy nationalities; nor shall it be construed to confer on the holder immunity from any liability, pain, penalty or punishment incurred by the holder for violation of any law of the United States either before or after its issuance.

(*b*) All persons, required to apply for and obtain Certificates of Identification, shall carry such certificates with them at all times and present them if required to do so by any police officer or other government officer. Any such person shall promptly report his loss of Certificate of Identification to the nearest United States attorney.

(*c*) A Certificate of Identification shall not be issued to any person who has already received one unless he surrenders his former certificate, except in case of loss as provided below. No person shall use a Certificate of Identification relating to any other person. If any person loses his Certificate of Identification he may make affidavit under oath (or affirmation) to that effect, and, upon proof thereof, there may be issued to him a copy, which shall be plainly marked as such. If the holder dies or permanently departs from the United States, his Certificate of Identification shall be returned to the Department of Justice. If any person finds a lost Certificate of Identification he shall forward it to the United States Department of Justice.

SEC. 8. **Disposition of application forms.**—(*a*) One copy of the completely executed application for Certificate of Identification (AR–AE–22) shall be sent promptly to the Alien Registration Division of the Department of Justice in accordance with the instructions of the Post Office Department.

(*b*) The second copy of the completely executed application for Certificate of Identification shall be sent to the nearest field office of the Federal Bureau of Investigation in accordance with the instructions of the Post Office Department.

SEC. 9. **Nature of information.**—All information furnished by the applicant in connection with his application shall be secret and confidential and shall be available only to such persons or agencies as may be designated by the Attorney General. It shall be unlawful for any identification official to divulge any such information to any person or agency not so designated.

SEC. 10. **Changes of name, residence, or employment.**—(*a*) Whenever the holder of a Certificate of Identification changes his (a) name, under legal authority, (b) residence address, or (c) place of employment, written notices thereof shall immediately be given to (1) the Alien Registration Division of the Immigration and Naturalization Service, and (2) the Federal Bureau of Investigation at the office shown in the holder's Certificate of Identification.

(*b*) Nothing herein contained shall relieve any alien or parent or guardian of any alien less than 14 years of age who is not a permanent resident of the United States, and who was or is required to register under the Alien Registration Act of 1940 from reporting to the Commissioner of Immigration and Naturalization the alien's residence at the end of each 3 months' residence in the United States, regardless of whether or not the alien has changed his residence.

SEC. 11. **Use of assumed name.**—No person to whom a Certificate of Identification has been issued shall for any purpose assume or use, or purport to assume or use, or continue the assumption or use, of any name other than that given as his legal name in his application for a Certificate of Identification, except such changes as may be duly authorized by or under the law.

SEC. 12. **Compliance with all regulations of conduct of applicants.**—No alien of enemy nationality as hereinbefore defined shall enter or be found at any time in any area hereafter designated by the Attorney General as an area in which an alien of enemy nationality shall not be found except in accordance with such regulations and permission as may be prescribed by the Attorney General. All such aliens of enemy nationalities shall obey all regulations heretofore and hereafter issued governing travel, change of residence, occupation or employment, and possession of various articles such as cameras, radios, firearms, ammunition, explosives, signal devices, and similar articles.

SEC. 13. **Violation of regulations.**—(*a*) Any alien of enemy nationality herein defined who fails to comply with these regulations or any other regulations governing the conduct of aliens of enemy nationalities, is subject to apprehension, detention, and internment for the duration of the war.

(*b*) Any alien of enemy nationality herein defined who shall aid, abet, counsel, command, induce, or procure any other alien of enemy nationality to fail to comply with any of these regulations or any other regulations governing the conduct of aliens of enemy nationalities, is subject to apprehension, detention, and internment for the duration of the war.

FRANCIS BIDDLE,
Attorney General.

Dated: January 22, 1942.

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